

REMARKS

After entering the above amendments, claims 1-18 will be pending, with claims 1, 8, and 18 being independent. Claims 1, 3, and 8 have been amended and claims 15-18 have been added. No new matter has been added. Reconsideration and allowance of the current application are requested.

Rejections under § 103(a)

Claims 1-14 are rejected under section 103(a) as allegedly being unpatentable over “Analysis and Application of Adaptive Sampling” (“Lynch”), in view of MacLeod et al. (US Pat. 6,434,545; “MacLeod”). These rejections are traversed.

Claims 1-14, as amended, are patentable over Lynch and MacLeod as neither reference discloses features of these claims.

Claims 1 and 8

Independent claims 1 and 8, as amended, are patentable over Lynch and MacLeod as neither reference discloses generating “an updated estimate of [a] result of □ execution of [a] query based on the execution of the query on □ another subset; and providing the updated estimate to [a] user interface.”

Independent claims 1 and 8 include features directed to generating “an updated estimate of [a] result of □ execution of [a] query based on the execution of the query on □ another subset; and providing the updated estimate to [a] user interface.” In some implementations, a query may be performed on a first sample of data to obtain an estimate. Then, the query may be performed on a second set of data and the estimate may be updated based on the results of the query on the second set of data. ¶ 12 of present application. This may be advantages, as, for example, updated estimates may be more accurate as they may be based on querying further data, such that the sample size for an estimate is larger. Id. Also, in some implementations, estimates may be updated continually until a user decides to modify search criteria. Id.

Neither Lynch nor MacLeod disclose generating “an updated estimate of [a] result of □ execution of [a] query based on the execution of the query on □ another subset; and providing the updated estimate to [a] user interface.” Lynch discloses fast estimation algorithms. Abstract. Algorithm 8 of Lynch is used in the official action to allege that Lynch discloses performing queries on growing samples. Official Action, ¶ 3.f. Even assuming Lynch does disclose generating an updated estimate, Lynch does not disclose “providing [an] estimate to a user interface; ... and providing [an] updated estimate to the user interface.” Thus, Lynch does not provide benefits of

updated estimation that may be provided by implementations of the independent claims, as in Lynch only a single estimate is provided.

MacLeod also does not disclose “generating an updated estimate of [a] result of [] execution of [a] query based on the execution of the query on [] another subset; and providing the updated estimate to [a] user interface.” For example, in MacLeod, estimates, if any, appear to be related to cost statistics, not on execution of the query on a sample and a second subset to provide an updated estimate. See MacLeod, col. 2, lines 38-49.

Dependent Claims

As claims 2-7 and 9-13 depend, directly or indirectly, on independent claims 1 and 8, these claims are allowable for at least the reasons given above.

CONCLUSION

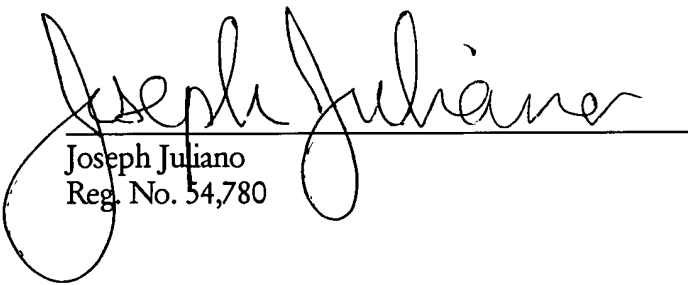
On the basis of the foregoing amendments, the pending claims are in condition for allowance. It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

Applicant petitions for a one month extension of time and the statutory fee of \$120.00 is enclosed. Any additional fees that may be due, or credit any overpayment of same, may be charged to Deposit Account No. 50-0311, Reference No. 34874-084-UTL. If there are any questions regarding reply, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

Date: _____

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